



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Channel Islands National Marine Sanctuary
113 Harbor Way, Suite 150
Santa Barbara, CA 93109

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 west Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

May 19, 2011

Commander
Eleventh Coast Guard District (dpw)
Bldg: 50-2, Coast Guard Island
Alameda, California, 94501-5100

Dear, Rear Admiral Castillo:

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) Southwest Regional Office and Channel Islands National Marine Sanctuary (CINMS) appreciate the opportunity to provide additional input to inform the Port Access Route Study (PARS) for the ports of Los Angeles and Long Beach, located in southern California.

NMFS is one of two federal agencies responsible for implementing the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. § 1531 *et seq.*) and the Marine Mammal Protection Act (MMPA) of 1972, as amended (16 U.S.C. § 1361 *et seq.*) and protecting species under their jurisdiction throughout their range. The CINMS is responsible for implementing the National Marine Sanctuaries Act (NMSA) as amended (16 U.S.C. § 1431 *et seq.*) which includes protecting all marine resources within the Sanctuary.

NOAA has greatly benefitted from a collaborative partnership with the United States Coast Guard (USCG) in addressing the risk of ship strikes to whales in the region. The USCG is to be commended for its investment of many flight and vessel hours, outreach support via Local Notice to Mariners, and efforts to keep NOAA, the CINMS' Advisory Council, and broader public informed of the PARS.

We appreciate the mandates of the USCG in finding safe routes into ports throughout the United States. The current PARS for the ports of Los Angeles and Long Beach, and a potential subsequent National Environmental Protection Act (NEPA) process, provide a unique



opportunity for our respective agencies to investigate various alternatives to possibly reduce the risk of ship strikes to whales in the region. Minimizing the co-occurrence or overlap of ships and whales is likely the most effective method to reduce the risk of ship strikes. Therefore, shipping patterns that have the potential to reduce this co-occurrence warrant serious consideration. We hope that our best available information will help the USCG find safe alternative routes into the ports of Los Angeles and Long Beach that may also reduce ship strikes of large whales. NMFS and the CINMS have conducted separate analyses using three different data sets to characterize whale distribution in the Southern California Bight (SCB) area. Both analyses concentrated on the distribution of three species of ESA-listed endangered large whales: humpback (*Megaptera novaeangliae*), fin (*Balaenoptera physalus*), and blue (*B. musculus*).

Summary of Whale Sightings Data and Modeling Effort:

Please see the enclosed CINMS PARS Cetacean Analysis 2011 prepared by CINMS and Cascadia Research Collective, Inc. This analysis is relevant to proposed alternatives within the Santa Barbara Channel and the existing Traffic Separation Scheme. It is a first order characterization of presence-only cetacean sightings from two projects- Channel Islands Naturalist Corps sightings from 1999-2010, and Cascadia Research Collective sightings from 1991-2009. Using these data, limited inferences can be made on cetacean distributions within the study area that spans the Santa Barbara Channel.

Also enclosed is an analysis prepared by NMFS, Scripps Institution of Oceanography, and Cascadia Research Collective, Inc., entitled *Mitigating the risk of large whale ship strikes in the Southern California Bight*. This analysis is primarily relevant to proposed alternatives being considered south of the Channel Islands. The data was originally collected from 1991-2009 by NMFS' Southwest Fisheries Science Center (SWFSC) to estimate population abundance for humpback, fin, and blue whales in the eastern Pacific. Habitat models are used to predict whale densities; these predicted densities are used to estimate the co-occurrence of whales and ships in eight alternative shipping routes through the SCB (please see enclosure for information on these shipping routes). These analyses also assess the overlap between each route and different sectors in the SCB (*i.e.*, the area in each route that traverses protected areas and military training ranges). These statistical analyses estimate the change in relative risk associated with ships traveling in several proposed routes south of the northern Channel Islands. If ships continue to transit this area, the analyses also suggest designating a specific TSS in this region could reduce risk.

Additional Information:

Previous contributions from our offices that have been made available to various parties, including the USCG, consist of, but are not limited to, the following:

Other Conservation Measures:

Working together with USCG, we have employed other conservation measures to reduce the risk of ship strikes within the Santa Barbara Channel. These include a broadcast and published Notice to Mariners, recommending that ships greater than 300 gross registered tons travel at 10 knots or less in a seasonally designated Whale Advisory Zone. In addition, when large whales are known

to be in the Santa Barbara Channel area, the USCG broadcasts a Local Notice to Mariners to alert vessels of the presence of whales and urge mariners to use caution when transiting.

Ship Speed Data:

In collaboration with Scripps Institution of Oceanography, we have monitored ship speeds in the region using the Automatic Identification System (AIS). This system provides information to evaluate compliance with NOAA's voluntary speed reduction recommendation broadcast as described above. The analysis clearly demonstrated that from 2007 to 2009, on average, ships did not reduce speeds in the Santa Barbara Channel during the voluntary speed reduction recommendation period. The 2010 AIS ship speed analysis also appears consistent with the previous three year analysis. We would be happy to discuss its utility and/or interpretation further with you.

Socio-economic Modeling:

The University of California, Santa Barbara's Bren School of Environmental Science Group Thesis project, entitled *Reducing the Risk of Vessel Strikes to Endangered Whales in the Santa Barbara Channel* is now available online at:

http://fiesta.bren.ucsb.edu/~whales/pdfs/Whales_Report.pdf.

Guidance

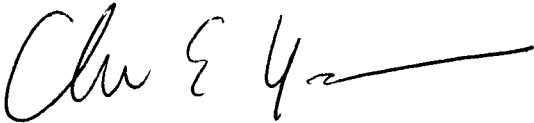
We respectfully suggest the United States Coast Guard utilize this best available data in the PARS and future planning efforts to consider:

- Within the Santa Barbara Channel: An alternative that modifies the existing Traffic Separation Scheme within the Santa Barbara Channel to reduce the co-occurrence of whales and ships. For example, shifting lanes away from identified bathymetric features that are correlated with large whale hot spots. See the enclosed CINMS maps.
- Areas south of Santa Barbara Channel: If consideration is given to areas outside of the Channel, a designated route in an area that reduces the co-occurrence of ships and whales could minimize the risk of a ship strike. AIS data collected after the 2009 implementation of the California Air Resources Board (CARB) rule shows that ship traffic occurred in a broad region south of the Channel Islands. The enclosed NMFS habitat models developed for humpback, fin, and blue whales suggest that designated routes in specific locations can minimize the co-occurrence of whales and ships.
- Continue to engage NOAA and other stakeholders in the PARS and any future planning or regulatory processes.

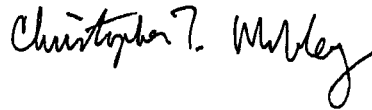
We are confident that with additional time NOAA could provide further refined data and analysis to assist the USCG in future decision-making.

Again, thank you for the opportunity to provide our input and for your consideration of alternative ship routing measures to protect endangered whales. Please call on Michael Murray, Michael.Murray@noaa.gov (805) 884-1464 or Monica DeAngelis, Monica.DeAngelis@noaa.gov (562) 980-3232 if you have any questions.

Sincerely,



Chris Yates
Assistant Regional Administrator,
Protected Resources Division
National Marine Fisheries Service



Chris Mobley
Superintendent
Channel Islands National Marine Sanctuary

cc:

Captain Patrick J. Maguire, USCG
LCDR Drew Steadman, USCG
Michael VanHouten, USCG
LTJG Lucas Mancini, USCG
Rod McInnis, NMFS SW Regional Administrator
Carol Bernthal, ONMS (Acting) Regional Director

Enclosures:

CINMS PARS Cetacean Analysis 2011
NMFS Mitigating the Risk of Large Whale Ship Strikes in the Southern California Bight